

1 IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through
2 their respective counsel, and subject to the approval of the Court, as follows:
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4 Pursuant to the Court's Order of April 18, 2013 (Dk. No. 734), Plaintiff U.S. Ethernet
5 Innovations, LLC ("USEI") is to respond to the Defendants' and Intervenor's Motion for Partial
6 Summary Judgment on Marking and Nominal Damages ("the Summary Judgment Motion") on
7 May 30, 2013, and Defendants' and Intervenor's are to submit their reply brief on June 6, 2013.
8 The parties hereby jointly request that the Court extend each of those deadlines by ten (10) days,
9 to June 10, 2013 (for USEI's response), and to June 17, 2013 (for Defendants' and Intervenor's
10 reply).
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12 WHEREAS, the parties are working diligently to complete discovery that USEI believes
13 is necessary to respond to the Summary Judgment Motion. Among other things, this discovery
14 includes the depositions of two fact witnesses on matters at issue in the Summary Judgment
15 Motion.
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17 WHEREAS, due to scheduling constraints of both parties and fact witnesses, the parties
18 cannot depose those witnesses until after the current deadline for USEI's response brief.
19 Therefore, the parties seek additional time to prepare their respective briefs.
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21 WHEREAS, the extensions requested herein will not affect any other date set by the
22 Court, including the hearing set for Thursday, June 27, 2013 regarding the Summary Judgment
23 Motion.
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27 STIPULATED REQUEST FOR ORDER CHANGING TIME TO RESPOND TO DEFENDANTS' AND
28 INTERVENORS' MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING MARKING AND
NOMINAL DAMAGES

1 Accordingly, the parties STIPULATE AND AGREE that the date for USEI's response to the
2 Summary Judgment Motion be extended to June 10, 2013; and the date for Defendants and
3 Intervenor to file their response to the Summary Judgment Motion be extended to June 17, 2013.
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5 DATED: May 28, 2013

ROBBINS GELLER RUDMAN
& DOWD LLP

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8 /s/ Jessica M. Kattula
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22 Attorneys for U.S. Ethernet Innovations, LLC
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1 Filer's Attestation: Pursuant to General Order N. 45, § X(B), I attest that concurrence in the
2 filing of this document has been obtained from all relevant parties.

3 Dated: May 28, 2013.

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5 /s/ Jessica M. Kattula

6 JESSICA M. KATTULA
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10 PURSUANT TO STIPULATION, **IT IS SO ORDERED** that the date for USEI's response
11 to the Summary Judgment Motion is extended to June **6**, 2013; and the date for Defendants and
12 Intervenor to file their response to the Summary Judgment Motion is extended to June **13**, 2013.
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16 Dated: 5/30/2013

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18 Hon. Claudia Wilken, United States Chief
19 District Court Judge
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